

REMARKS

Claims 1-28 are all the claims pending in the application.

Entry and consideration of the Amendment under 37 C.F.R. § 1.116 filed on December 28, 2004 is kindly requested.

In the Advisory Action dated January 27, 2005, the Examiner states, "The newly claimed positioning of the filter is shown in EP 0,487,412; therefore, this reference would now need to be considered in a new evaluation of the case."

Applicant notes that EP-0 487 412, in fact, does not teach or suggest the claimed invention. As clearly illustrated in Figs. 1 to 3 of the document, the filter (5) is located inside the pump body (43), on a specific shoulder (44) provided with openings (12) for the incoming air. This shoulder is located under the pump body's top edge.

The filter is thus not between the top edge of the pump body (43) and the fixing ring (4), and it is not above the top edge (*i.e.* outside) of the pump body (43), as required by claim 1.

It would not be possible for someone skilled in the art to move the filter of EP-0 487 412 outside the pump body, above its top edge. Indeed, the filter must be located against the openings (12), which are provided in the shoulder (44) inside the pump body. EP-0 487 412 thus requires a specific pump body, whereas the present invention as defined in claim 1 can be used with a standard pump body without internal shoulder.

In the second embodiment of EP-0 487 412 (Figs. 4 and 5), the filter (105) is located above the fixing ring (104). The filter (105) is thus not between the top edge of the pump body (145) and the fixing ring (104), as required by claim 1.

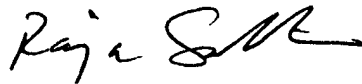
REPLY UNDER 37 C.F.R. § 1.114(c)
U.S. Application No. 10/070,641

Attorney Docket No.: Q68640

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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